

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

JACK WILLIAM CONE JR

CASE NO. 10-70007-HDH-13

AKA1:  
DBA1:  
SS#1: xxx-xx- 9224

AKA2:  
DBA2:  
SS#2:

---

**REPORT OF 341 MEETING**

---

I. 341 MEETING REPORT:

A. Orig. Date: 2/9/2010 Orig. Time: 11:00 AM Reset Date: Reset Time:  
B. Meeting Results: Adjourned  
C. Debtor(s): Debtor 1 Appeared  
D. Attorney for Debtor(s): Appeared  
E. Creditor Appearance: None  
F. Amount Paid to the Trustee as of 2/9/2010 \$1,687.00 First Payment Due Date: 2/11/2010

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Complete

Budgeted Income: \$6,366.69 Expense: \$4,679.69 Surplus: \$1,687.00  
Plan Payment: \$1,687.00 Monthly Plan Term(Months): 60

I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00

Objection to Exemption of:

Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:

Object to Invoke Stay Pleading

Case Converted from Chapter 7, Bar Date Set: 5/10/2010 Date Converted from Chapter 7:

J. Required Information: Good

K. Business Information:

L. Object to Confirmation: Yes

USFCU \$920.46 secured claim needs treatment

M. Financial Management Class: Debtor 1 Appeared

N. Eligibility:

Certificate of Credit Counseling Filed: Debtor 1

Credit Counseling Provider Approved: Yes

Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00

Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: Questions

-Any gambling winnings or businesses planned?

No winnings & no businesses

-Mr employed or Taxi driving quit 1/31/10?

Employed only quit taxi driving

-Mrs employed?

No

-Avelina Cone knows Mr filed?

Yes

-Why did she not file?

She wants to try to stay out of this.

-Does she plan on filing?

No

-Sch A fails to include all real property.

6308 Iola Avenue Lubbock, TX 79424  
(806) 748-1980 Phone (806) 748-1956 Fax

-2610 9th valued at \$44,202 not listed on Sch A.

-Bought 3/1/2001 by A. Cone.

Gift from the sister.

-When did Mr & Mrs get Married?

5/11/94

-How much is still owed on the property?

nothing

-Non-exempt property can't be determined until Sch A is amended.

-Sch I fails to include rent income of \$\_\_\_\_\_ from 2610 9th.

\$350, expenses are higher than the rent.

-Where is rent income from 2910 9th? -- mm said this is fine

-Was producing rent of \$4200/yr or \$350/mo.

-What is the monthly income & expense?

\$350 & more than \$350 it is operated at a small loss for her grandchild.

-Sch J lists excessive expenses.

-Line 17a - \$243 VA Military Retirement is waiver of income tax only.

-What is deposited in the bank for Mr? Mrs?

\$1667 as it is in the retirement statement . The net is less than the deduction so no objection.

Objections

-Sch A fails to include all real property - gift from sister -- MM OK -- will not pursue

-Non-exempt property can't be determined until Sch A is amended -- will not pursue

-Feasibility until non-exempt property amount is determined -- will not pursue

-Sch I fails to include all income -- will not pursue

-Sch J lists excessive expenses -- will not pursue

-Failure to include all disposable income -- will not pursue

-USFCU \$920.46 secured claim needs treatment

Dated: 2/9/2010

/s/ Walter O'Cheskey

---

Standing Bankruptcy Trustee

By: Brent Hagen

Case Number:	10-70007 Page 3 of 4				
Debtor:	Cone				
Attorney:	MJW				
Presiding Officer:	Brent Hagan				
Calculation Date:	2/9/2010 9:40				
Domestic Support <b>Input name from Plan</b>	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
Secured Creditor/Collateral <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
Union Square FCU	\$2,684.00	10.00%	8	\$348.20	\$2,785.62
Union Square FCU	\$1,790.04	10.00%	8	\$232.23	\$1,857.82
USFCU - \$920.46 needs treatment	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
Priority Creditor <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
Attorney Fees <b>Paid Through the Plan</b>	\$2,699.00				\$2,699.00
Noticing Fees	\$120.32				\$120.32
Clerk Filing Fees	\$0.00				\$0.00
Hardacre Minimum	\$0.00				
Chapter 7 Minimum (Gross)	\$24.50				
Less Trustee Fees	\$2.45				
Less Attorney Fees	\$2,699.00				
Less Noticing Fees	\$120.32				
Less Clerk Filing Fees	\$0.00				
Less Scheduled Priority Claims	\$0.00				
Less Other (Explain Below)	\$0.00				
Chapter 7 Minimum (Net)	\$0.00				
Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)					\$141,374.45
Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)					\$8,278.59
Debtor Plan Base (Monthly Payment X Term)					\$101,220.00
Surplus (Debtor Plan Base - Calculated Base)					<u><u>\$92,941.41</u></u>

**Comments:**

\$113,289.60 Hardacre comes into play if a objection is filed

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	2/9/2010 9:40

Schedule I Gross Income		\$7,659.43
Less Line 57 B22C		\$5,771.27
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		(\$1,888.16)
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: